

ARIZONA EXEMPTIONS

These exemptions may change from time to time.
Do not apply them to your situation without consulting legal counsel.

The following exemptions are used for anyone that is a permanent resident of Arizona. Each state has a different list of exemptions ([list of exemptions for other states](#)). With the 2005 changes in the Bankruptcy Laws this has dramatically changed.

What state do you use for your exemptions? The state you lived in for the 730 days (2 years) before filing; or If you did not live in one single state in the previous 2 years, then use the state where you lived the majority of the 180 period preceding the last 2 year period; or If the preceding renders you ineligible for any exemptions then the debtor is allowed to choose the federal exemptions. (Confusing? Send your thanks to Congress)

Assuming that you lived in Arizona for the last 2 years, then these exemptions apply whether you are filing for bankruptcy protection, or just wondering what items you own are usually protected from your creditors. These exemptions change as the Arizona Legislature amends them. Therefore you need to confirm their accuracy before making any decisions that could impact your financial situation. In bankruptcy there are also additional time periods of 10 years, 1210 days and others that impact the assets you can protect.

If you are filing for bankruptcy protection and reside in Arizona then you must use this list of exemptions and cannot use of federal bankruptcy exemptions in [11 U.S.C. 522\(d\)](#). See [A.R.S. § 33-1133](#).)

Pursuant to [A.R.S. § 33-1121.01](#) - each spouse/person has separate exemption. Therefore, \$4,000 in household furnishings is for each adult in the house. The exception to this rule is the homestead that is capped at \$150,000 per home ([A.R.S. § 33-1101](#)) (but may be \$125,000 in bankruptcy). In order to qualify for a homestead the residence must be your primary residence. Items not on this list are not protected from your creditors. Nor, are items on this list protected from creditors that have liens on the property: for example a Deed of Trust on the home or security interest in personal property (charging your refrigerator at Sears using a Sears card, or using items as collateral for personal loans.) **All property set forth below may be executed upon for back child support and/or alimony/maintenance.** The law changes occasionally and you must make sure that you have the latest list of exemptions.

The dollar amounts listed below are the resale, not retail, value of the items (e.g.: what your couch would sell for at a yard sale is the resale value). But, if you are filing for chapter 7 or 13 bankruptcy and have personal property (not land/house) that has a lien or security interest, then you must use the "replacement value - the price a retail merchant would charge for property of similar kind and condition. §506(a)(2)

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(Use of federal bankruptcy exemptions in 11 U.S.C. 522(d) not permitted in Arizona. See A.R.S. § 33-1133.)
(Pursuant to A.R.S. § 33-1121.01 - each spouse/person has separate exemption. Therefore, \$4,000 in household furnishings is doubled for two adults in the house. The dollar amounts listed below are the resale, not retail, value of the asset. The exception to this rule is that the homestead exemption (must be primary residence) is capped at \$150,000 per home - ARS § 33-1104). Items not on this list are not protected from your creditors. Nor, are items on this list protected from creditors that you have granted a lien interest to - Deed of Trust on the home or security interest in personal property (charging your refrigerator at Sears using a Sears card, or using items as collateral for personal loans.) All property set forth below are subject to execution for back child support/alimony under Bankruptcy law and most under Arizona State Law (33-1126(E))

TYPE OF PROPERTY	AMOUNT OF EXEMPTION	STATUTE
Homestead, consisting of debtor's equity in real property used as residence. 1 apartment of horizontal property regime, or mobile home and land upon which located. (Certain residency requirements applicable under Bankruptcy Law)	\$150,000 - as against nonconsensual liens. Total exemption of \$150,000 for both spouses. Applies to identifiable cash proceeds of homestead sale for 18 months after sale.	A.R.S. § 33-1101 A.R.S. § 33-1104 – consensual liens excluded; A.R.S. § 33-1102 (recording not required)
Kitchen table/4 chairs; dining table/4 chairs (plus 1 for each dependant over 4), Living room: couch, chair, plus 1 chair per dependant, 3 coffee/end tables, 3 lamps, rug; 2 beds, plus 1 per dependant, bed table, dresser, lamp, bedding for each; pictures, Oil paintings and drawings made by Debtor, family portraits, TV, radio, stove, refrigerator, washer, dryer, and vacuum	\$4,000 aggregate value	A.R.S. § 33-1123
Food, fuel and provisions for 6 months used by Debtor and family	100%	A.R.S. § 33-1124
Wearing apparel	\$500	A.R.S. § 33-1125(1)
Musical instruments of Debtor and family	\$250	A.R.S. § 33-1125(2)
Domestic pets, horses, milk cows and poultry	\$500	A.R.S. § 33-1125(3)
Engagement and wedding rings	\$1,000	A.R.S. § 33-1125(4)
Library	\$250	A.R.S. § 33-1125(5)
Typewriter, bicycle, sewing machine, family bible, burial lot, rifle, shotgun or pistol.	\$500 aggregate value	A.R.S. § 33-1125(7)
Watch	\$100	A.R.S. § 33-1125(6)
Motor Vehicle	\$5,000 (\$10,000 if maimed or crippled)	A.R.S. § 33-1125(8)
Wheel Chair and prescribed health aids	100%	A.R.S. § 33-1125(9)
Interest in retirement plan qualified under Internal Revenue Code §§ 401(a), 403(a)(b), 408, 408(a), 409, 457 (deferred comp)	100% (except contributions within 120 days before filing petition)	A.R.S. § 33-1126(C)
Prepaid rent and security deposits for Debt or's residence	Lesser of \$1,000 or 1 1/2 months rent	A.R.S. § 33-1126(D)
Life Insurance proceeds paid or payable to surviving Spouse or child	\$20,000	A.R.S. § 33-1126(A)(1)
Earning of minor child	100%	A.R.S. § 33-1126(A)(2)
Health, accident or disability insurance	100% (certain debts excepted)	A.R.S. § 33-1126(A)(4)
Insurance proceeds for damage or destruction of exempt property	100% of exemption given for damaged or destroyed property	A.R.S. § 33-1126(A)(5)
Cash surrender value of life insurance policies owned by the debtor (owned for at least two unexpired, continuous years)	\$25,000 (beneficiary must be a dependant)	A.R.S. § 33-1126(A)(6)
Damages for wrongful levy or execution	100%	A.R.S. § 33-1126(A)(7)
One single bank account	\$150	A.R.S. § 33-1126(A)(8)
Necessary tools, equipment, instruments and books used in business or profession	\$2,500 (does not include personal motor vehicle)	A.R.S. § 33-1130(1)
Machinery, utensils, fee, grain seed and animals of farmer	\$2,500 (primary income from farming)	A.R.S. § 33-1130(2)
Arms, uniforms/accoutrements required by law	100%	A.R.S. § 33-1130(3)
Net disposable earnings (less deductions required by law) includes pension and retirements payment	75% or 30 X the federal minimum hourly wage, per week, whichever is greater. Child support obligations may be garnished up to ½ of net income (33-1131(C))	A.R.S. § 33-1131
Unemployment compensation benefits	100%	A.R.S. § 23-783
Workmen's compensation benefits	100%	A.R.S. § 23-1068
Welfare assistance	100%	A.R.S. § 46-208
Child support or maintenance	100%	A.R.S. § 33-1126(A)(3)
Firemen's relief and pension benefits	100%	A.R.S. § 9-968
Police pension benefits	100%	A.R.S. § 9-931
Teachers' retirement benefits	100%	A.R.S. § 43-1201
State employees' retirement benefits	100%	A.R.S. § 38-792
Fraternal Benefit Society benefits	100%	A.R.S. § 20-881
School Equipment used to teach	100%	A.R.S. § 33-1127
Firefighting equipment	100%	A.R.S. § 33-1128
Property that belongs to the public	100%	A.R.S. § 33-1129
Specific Partnership Property	100%	A.R.S. § 29-255(B)(3)
Social Security	100%	42 U.S.C. 407(a), SEC 207
Prearranged Funeral	Up to \$5,000	32.1391.05(b)(4)